

12-03-04

ZFW
Docket No.: 18989-032



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Bunn, et al.
SERIAL NUMBER : 10/772,076 EXAMINER : Not Yet Assigned
FILING DATE : February 3, 2004 ART UNIT : 1651
FOR : COMPOSITIONS AND METHODS OF TREATING DIABETES

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

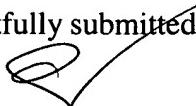
Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of cited references B1-2; C1-3; and
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 18989-032. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,


Ingrid A Beattie, Reg. No. 42,306
Cynthia A. Kozakiewicz, Reg. No.42,764
Attorneys for Applicants
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Address all written correspondence to
Customer no.: 30623
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Dated: December 2, 2004



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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report for PCT/US2004/003035, mailed September 22, 2004 that corresponds to the above-identified application. Accordingly, no fee or certification is believed due.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

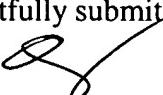
By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Bunn et al.**
U.S.S.N.: **10/772,076**

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19898-032.

Respectfully submitted,


Ingrid A Beattie, Reg. No. 42,306
Cynthia A. Kozakiewicz, Reg. No. 42,764
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Dated: December 2, 2004

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Attorney Docket No.: 18989-032



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PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)					Application Number		10/772,076	
					Filing Date		February 3, 2004	
					First Named Inventor		Bunn	
					Group Art Unit		1651	
					Examiner Name		Not Yet Assigned	
					Attorney Docket Number		18989-032	
U.S. PATENT DOCUMENTS								
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate	
U.S. PUBLISHED APPLICATION DOCUMENTS								
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate	
FOREIGN PATENT DOCUMENTS								
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)		Date of Publication	Translation Yes No		
	B1	WO 01/44448 A2	INCYTE GENOMICS, INC.		06/21/01			
	B2	WO 03/087399 A1	BIOVIT-RUM AB		10/23/03			

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS								
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.						
	C1	Barber et al. <i>Protein Expression and Purification</i> , 23:348-358 (2001)						
	C2	Zhu, et al. <i>PNAS</i> , 96(26):14742-14747 (1999)						
	C3	International Search Report for PCT/US2004/003035, mailed on September 22, 2004.						

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.